

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SIXTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 10194 of 1998

Between:

1. A.Khader Basha, S/o. Nabi Saheb,

Senior Assistant, O/o. District Manager, A.P.State Housing Corporation Limited,
Kadapa, Kadapa District.
2. S.Ravinder, S/o. Venkataiah, Senior Assistant, O/o. District Manager, A.P.State
Housing Corporation Limited, Karimnagar, Karimnagar District.
3. T.Nageswara Rao, S/o. Panduranga Murthy, Senior Assistant, O/o. District Manager,
A.P.State Housing Corporation Limited, Khammam, Khammam District.

..... PETITIONERS

AND

The Managing Director, A.P.State Housing Corporation, H.No.3-6-160, Street No.17,
Urdugally, Himayat Nagar, Hyderabad-500 029.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, particularly one in the nature of Writ of Mandamus declaring the action of the respondent in issuing the impugned seniority list in proceedings No.A2/6119/96 dated 31.01.1998 and seeking to accord notional seniority to several of the persons with anterior dates, though they did not work on those dates in the category of Senior Assistants, as wholly illegal, arbitrary and without jurisdiction and further declaring that the petitioners are entitled to seniority with effect from the dates from which they are working as Senior Assistants with all

consequential benefits such as promotion etc.,

Counsel for the Petitioners:MR.M.PANDURANGA RAO

Counsel for the Respondent: MR.V.CH.NAIDU

The Court made the following :

ORDER:

This writ petition is filed complaining that the post of Senior Assistant was a District Cadre post prior to 24.07.1990. Vide Circular No.A2/3263/90, dated 24.07.1990, the post of Senior Assistant was made Statewide post for the purpose of seniority etc., in A.P. State Housing Corporation Limited. The petitioners were promoted as Senior Assistants with effect from 10.09.1990 in Kadapa District unit, whereas their juniors in other districts were promoted and made seniors to them in the cadre of Senior Assistant.

The grievance of the petitioners is that in other Districts, people who were far juniors to the petitioners (though it was a separate unit for all purposes at that point of time) were regularized with retrospective effect and were promoted as Senior Assistants and made seniors to the writ petitioners in the impugned proceedings dated 31.01.1998, which is a provisional seniority list of the entire State.

According to both the counsel, the final seniority list is not yet published. The Counsel appearing for petitioners submits that the petitioners have already submitted their representations as to giving retrospective effect in regularization and promotion of certain individuals working in other units as on 23.07.1990, and the same is pending before the authorities.

Under those circumstances, without going into the merits of the case, it is suffice to direct the respondent to treat the affidavit in this writ petition as a representation and objections for the provisional seniority list and finalise the seniority list as per law and communicate the same to the petitioners within a period of six months from today.

The petitioners are at liberty to challenge final seniority list to be published by respondent, if they are aggrieved.

With the above direction, the writ petition is disposed of. No costs.

26-07-2004

Jsu

To

1.The Managing Director, A.P.State Housing Corporation Ltd., H.No.3-6-160, Street No.17, Urdugally, Himayat Nagar, Hyderabad-500 029.

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